

REMARKS

Claims 1, 2, 5-7, 10, 11, 13, 15, 16, 18, 37-39, 44, 45, 51, 52, 54, 58-63, and 69-73 are pending. Claims 5, 6, 10, 11, 60, 62, 63, 69, and 71-73 are withdrawn. Claims 1 and 2 are amended. Claims 3-4, 8-9, 12, 14, 17, 19-36, 40-43, 46-50, 52, 54-57, and 64-68 are canceled. Following entry of the present amendments, claims 1, 2, 5-7, 10, 11, 13, 15, 16, 18, 37-39, 44, 45, 51, 52, 53, 58-63, and 69-73 are pending.

Support for the amendment is found throughout the specification and claims as originally filed. More specifically, support may be found, for example, at claim 61 as originally filed, at page 5, lines 4-8, page 11, lines 15-18, page 12, lines 2-7, page 25, lines 25-26, page 26, lines 23-27, page 27, lines 13-17, and page 35, lines 27-28.

Rejections under 35 U.S.C. § 102(a) and 102(b)

Claims 1, 2, 7, 13, 15, 16, 18, 37-39, 44-45, 51, 54, 61, and 70, which are directed to methods for detecting a neoplasia in a biologic sample, are rejected under 35 U.S.C. § 102(a) and 102(b) over Yegnasubramanian et al., (Cancer Res. 64:1975-1986, 2004; “Yegnasubramanian”), Harden et al., (Clinical Cancer Res. 9:1370-1375, 2003), and Maruyama et al., (Clin. Cancer Res. 8:514-419, 2002; “Maruyama”). In support of the rejection, the Examiner alleges that Yegnasubramanian, Harden, and Maruyama describe an association between GSTP1 and APC and cancer. Applicants respectfully disagree and traverse the rejection.

However, without acquiescing in any way to the rejection and in order to expedite prosecution of the application, claims 1, 37, 44, 58, and 70 have been amended without prejudice or disclaimer, thereby obviating the rejection. The claims are now directed to methods for detecting a neoplasia in a biologic sample by quantifying the promoter methylation of “*GSTP1*, *APC*, *RASSF1A*, and *CRBP1*.” None of the references cited by the Examiner describes this specific combination of markers. Thus, none of the references anticipates Applicant’s claimed invention.

Rejections under 35 U.S.C. § 103(a)

Claims 52, 58, and 59 are rejected under 35 U.S.C. § 103(a) over Maruyama in view of Goessl (Cancer Research 60: 5941-5945, 2000; "Goessl"). Applicants respectfully disagree and traverse the rejection.

However, without acquiescing in any way to the rejection and in order to expedite prosecution of the application, claim 44, from which claim 52 depends, and claim 58, from which claim 59 depends, now recite quantifying the promoter methylation of "*GSTP1*, *APC*, *RASSF1A*, and *CRBP1*." None of the references cited by the Examiner teaches or suggests this specific combination of markers.

CONCLUSION

Applicants believe all formalities have been complied with and a complete response has been submitted. It is respectfully submitted that this application is now in condition for allowance. Should any issues remain or should the Examiner believe that a telephone conference with Applicants' attorney would be helpful in expediting prosecution of this application, the Examiner is invited to contact the undersigned at the telephone number shown below.

The Director is hereby authorized to charge any credits or deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62933 (71699).

Dated: September 14, 2011

Respectfully submitted,
Electronic signature: /Melissa Hunter-Ensor,
Ph.D., Esq./
Melissa Hunter-Ensor, Ph.D., Esq.
Registration No.: 55,289
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 517-5580
Attorneys/Agents For Applicant